

REMARKS/ARGUMENTS

Applicant has amended claims 1 and 11 so as to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, Applicant has amended claims 1 and 11 so as to identify the strap as having a front and a back.

Next, Applicant has reviewed and considered the rejection of claims 1 and 4-7 under 35 USC § 102 for lack of novelty based on the French patent number 2554782A and states that although the invention taught in the French patent is similar to the present application, Applicant's invention differs from the French patent for a variety of reasons and thus is not anticipated by the French patent.

First, the French patent teaches the use of a grip member that is substantially J-shaped, rather than substantially U-shaped as is Applicant's invention. This difference between the shaping of the grip members is of great significance as a person using the grip member device of the French patent would still have to use his/her fingers in order to retain an object in the grip member whereas a person using Applicant's grip member need not use his or her fingers to retain the object because the U-shaped grip member itself retains the object. Because a person need not use his/her fingers to keep an object within the grip member, finger fatigue is significantly reduced. The reduction of finger fatigue is one of the key features of Applicant's invention as noted in the specification.

In addition, Applicant's invention, as highlighted in amended claim 1, includes an adjuster located on the first end of the strap. The French patent includes no such adjuster. Therefore, Applicant's invention is not anticipated by the French patent. As claims 4-7 are dependent upon claim 1, the rejection of these claims is now moot.

Next, Applicant has reviewed and considered the rejection of claims 2 and 3 under 35 USC § 103(a) for obviousness reasons in view of the French patent in combination with the Tomita patent and states that although it is true the Tomita patent teaches a handle that is made of steel (claim 2) wherein the handle is coated with plastic to prevent abrasion (claim 3), because Applicant's amended independent claim 1 (the claim in which claims 2 and 3 are based thereupon) teaches a grip member that includes structural

distinctions not found in either the French nor the Tomita patent, namely Applicant's invention including an adjuster on the strap, the rejection of claims 2 and 3 in view of the French and Tomita patents is now moot.

Referring to the rejection of claims 8 and 9 under 35 USC § 103(a) for obviousness reasons in view of the French patent in combination with the Meldeau patent, Applicant refers to amended independent claim 1 (now including an adjuster located on the strap) and states that although it is true the French patent teaches a grip member with a removably attached strap and a fastening means on the strip and the Meldeau patent teaches an adjuster, Applicant's invention is not obvious as the adjuster in the Meldeau patent is located on a wrist band, rather than on the strap itself as is Applicant's adjuster. The location of the adjuster is of importance as the adjuster in the Meldeau patent allows for the tightening of the wrist strap (38) *completely around the wrist* (see Figs. 2 and 4) so as to encompass the entire wrist. On the other hand, Applicant's adjuster is located on the strap itself so as to allow for the tightening of the strap *about the wrist without completely encircling the wrist* (see Fig. 5). Thus, the user may still bend his or her wrist when using Applicant's invention whereas wrist bending is not possible using the Meldeau invention. Therefore, it would not have been obvious to one having skill in the art at the time the invention was made to modify the strap with an adjuster as taught by Meldeau for adjusting the length of the strap. As claim 9 is based upon independent claim 1, the rejection of claim 9 is accordingly moot.

Next, with reference to the rejection of claims 1, 4-11 and 15 under 35 USC § 103(a) for obviousness reasons when reading Meeko in view of Meldeau, although it is true the Meeko patent is similar to Applicant's invention as both inventions utilize a grip member and a strap that fits about the wrist and the Meldeau patent teaches the use of a strap having two ends and an adjuster to adjust the length of the strap as it brought around the wrist, as discussed above, the adjuster in the Meldeau is located on the *wrist band*, rather than the strap as is Applicant's invention (see amended independent claims 1 and 11). Thus, even if one of ordinary skill in the art were to combine the device of Meeko with the strap having two ends and adjuster of Meldeau, as the Meldeau adjuster is not

located directly on the strap as is Applicant's invention, it would not have been obvious to one having ordinary skill in the art to make Applicant's invention. As claims 4-10 and 15 are dependent upon independent claims 1 and 11, the rejection of these claims based on obviousness is now moot.


Next, with respect to the rejection of claims 2 and 3 under 35 USC § 103(a) for obviousness reasons in view of Meeko in combination with Tomita and states that although it is true the Meeko patent teaches a device similar to Applicant's wherein a grip member having a strap located therethrough and the Tomita patent teaches an invention having a handle that is made of steel (claim 2) wherein the handle is coated with plastic to prevent abrasion (claim 3), because Applicant's amended independent claim 1 (the claim in which claims 2 and 3 are based thereupon) teaches a grip member that includes structural distinctions not found in either the Meeko nor the Tomita patent (namely, an adjuster located on first end of the strap), the rejection of claims 2 and 3 in view of the Meeko and Tomita patents is now moot.

Finally, with respect to the rejection of claims 12-14 based under 35 USC 103(a) for obviousness reasons in view of the Meeko patent in combination with the Graham or Hansen *et al.* patents, although it is true Graham teaches the use of a handle for carrying a shopping bag, briefcases and any other bags with handles to eliminate the amount of stress that is placed directly on the fingers and hand and Hansen *et al.* teaches the use of a handle for carrying a luggage handle, it would not have been obvious to one having ordinary skill in the art to combine these patents to make Applicant's invention as currently claimed. Independent claim 11, the claim in which claims 12-14 are dependent thereon, is now amended to include the structural distinctions between Applicant's invention and those taught in Meeko and the remaining prior art, namely an adjuster being located on the first end of the strap. Therefore, it would not have been obvious to one having ordinary skill in the art to combine the hand grip device of Meeko with the Graham or Hansen *et al.* patents to make and use Applicant's invention. Thus, the rejection of claims 12-14 is now moot.

In view of the above amendments and remarks, Applicant believes the examiner will now find this patent application in a position for allowance and its expeditious passage to same is requested.

Should the examiner disagree or have any questions, comments or suggestions that will render this application allowable, a call to the undersigned attorneys of record is invited.

Respectfully submitted,
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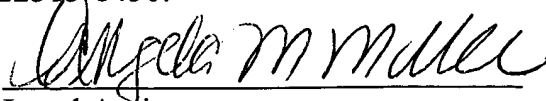
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CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I HEREBY CERTIFY that the above Response and Amendment is being deposited with the United States Postal Service by first class mail on the 26th day of August, 2005, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Legal Assistant